

From: [Holthaus, Katitza \(DOH\)](#)
To: ["James Silberman"](#)
Cc: [Auldredge, Melanee A \(DOH\)](#)
Bcc: [Elwanger, Susan M \(DOH\)](#); [Spice, Christie L \(DOH\)](#)
Subject: RE: Public Records Request
Date: Monday, February 13, 2017 1:31:00 PM

Mr. Silberman,

Thank you for your request for:

“All the monthly abortion reports referred to in WAC 246-490-100 for the month of September, 2016.”

We were incorrect in considering your most current request an appeal, as it is a different request than the other two; however, we have concluded that we do not have records responsive to your request—To get a specific's month's data, *would* be customized access. I will explain further.

The agency strives to be compliant with RCW 42.56, the Public Records Act. The act requires the agency to produce *identifiable records* that are responsive to a request unless such records are exempt from production based on federal or state law. In cases where public records are requested and the information resides in a database, the agency's practice is in alignment with the AG Model Rules pertaining to electronic records. Specifically, WAC 44-14-05002(1), which addresses “*reasonably locatable*” electronic records, is relevant in this instance.

The information you requested does not exist in any agency identifiable records or reasonably locatable electronic records because the agency does not manage its data in such a way that standard reports have been developed that contain the information you are seeking. Although the department is not obligated to create records in order to satisfy a public records request, you should know that if it were matter of a simple modification to an existing query to produce report(s) that would provide the information of interest to you, please know that the department would in fact create the record(s).

However, for your request, creating the records is not a matter of a simple modification to an existing query; it would require customized electronic services or access. The department is not prepared to offer customized access at this time, even on a reimbursable basis as per RCW 43.70.050(7), because of other priorities for our information technology staff and resources.

To summarize, we will not create records or offer customized access in order to satisfy your request for public records. With this communication, the department believes that your request has now been responded to fully and appropriately, and considers your public records request complete and closed.

Please contact the Public Records Officer (PRRAppeals@DOH.WA.GOV) or phone (360-236-4220) if you have any questions or if we can be of further assistance.

Sincerely,

Katitza Holthaus

Office Manager
Washington State Department of Health
Center for Health Statistics
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Olympia, WA 98504
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From: James Silberman [mailto:j.silberman@ymail.com]
Sent: Saturday, January 28, 2017 5:18 PM
To: Holthaus, Katitza (DOH) <katitza.holthaus@doh.wa.gov>
Subject: Public Records Request

Please send me all the monthly abortion reports referred to in WAC 246-490-100 for the month of September, 2016.

That's not a targeted request nor is it customized data.

Thank you,

James